

09/616746

COFC

I hereby certify that this correspondence is being deposited with the  
U.S. Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Attention Certificate of Correction Branch,  
P.O. Box 1450, Alexandria, VA 22313-1450.

Date: Sept. 12, 2005 For: The Gates Corporation

Signature: [Signature] Date Signed: Sept. 12, 2005

DOCKET NO. 000-009A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT NUMBER: US 6,920,269 B1 )  
DATE OF ISSUANCE: July 19, 2005 )  
PATENTEE: Nick Sevastian )  
DOCKET: O00-009A )  
FOR: "Lens" )

Certificate  
SEP 16 2005  
of Correction

**REQUEST FOR CERTIFICATE OF CORRECTION**

Commissioner for Patents  
Attention Certificate of Correction Branch  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Patentee hereby respectfully requests a Certificate of Correction under 37 CFR 1.322 for the above-referenced U.S. Patent. The inventor James E. Nelson, Denver, CO (US) was mistakenly entered in error on the part of the USPTO.

Reference is made to the enclosed documentation, namely, Applicant's Response to Notice to File Missing Parts mailed November 2, 2000, Exhibit A. At that time the Applicant informed the USPTO that James E. Nelson was incorrectly identified as an inventor by the USPTO. A Petition to Correct Inventorship dated Dec. 28, 2000 ("Petition") was filed by Applicant as well, Exhibit B. The Petition that Mr. Nelson be removed as an inventor was granted (Exhibit C) and an updated filing receipt was mailed 08/29/2001 (Exhibit D), each also enclosed. It is unclear why this issue has again presented itself. Please consider this a request to remove Mr. Nelson as an inventor on the issued patent.

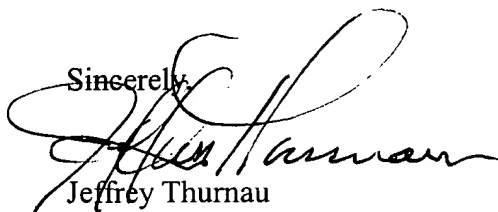
SEP 19 2005

**FEES**

Fees for this Certificate of Correction as set forth in § 1.20(a) are to be charged against Deposit Account 07-0475.

If there are any questions or if further clarification is required, the Commissioner is respectfully requested to contact the undersigned.

Sincerely,



Jeffrey Thurnau  
Attorney for Applicants  
Reg. No. 42,183  
303 744-4743

Date: Sept. 12, 2005

Denver, Colorado

Enclosures: Certificate of Correction  
Certificate of Mailing

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): SEVASTIAN; Nick

Docket No.

O00-009A

Application No.

09/616,746

Filing Date

July 14, 2000

Examiner

Customer No.

26683

Group Art Unit

Invention:

LENS

I hereby certify that this **CERTIFICATE OF CORRECTION**

(Identify type of correspondence)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

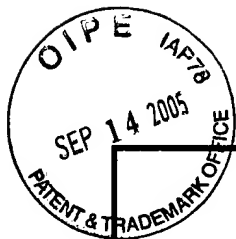
September 12, 2005  
(Date)

Sonja L. Faller

(Typed or Printed Name of Person Mailing Correspondence)

Sonja L. Faller  
(Signature of Person Mailing Correspondence)

**Note: Each paper must have its own certificate of mailing.**



(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : US 6,920,269 B1

DATED : July 19, 2005

INVENTOR(S) : Nick Sevastian  
James E. Nelson

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please substitute the following on the cover page of the patent:

(75) Inventor: Nick Sevastian, E. Windsor (CA)

MAILING ADDRESS OF SENDER (Please do not use customer number)

The Gates Corporation  
1551 Wewatta Street  
Denver, CO 80202

PATENT NO. US 6,920,269 B1

No. of additional copies



SEP 19 2005

"Express Mail" mailing label number FM463031186US

I hereby certify that this correspondence is being deposited  
with the U.S. Postal Service as Express Mail service in an  
envelope addressed to: Box Missing Parts,  
Commissioner for Patents, Washington, D.C. 20231  
on November 2, 2000. For: The Gates Corporation

Signature *Sebastian, and The Gates Corporation* Date signed: *November 2, 2000*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Sebastian, and  
The Gates Corporation,  
Rule 47(b) Applicant

Examiner:  
Group Art Unit:

Filed: July 14, 2000

Response to  
Notice to File Missing Parts

For: Lens  
Serial No.: 09/616,746

Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

Dear Sir:

This response is filed on behalf of the Applicant, The Gates Corporation, pursuant to the Notice to File Missing Parts of Non-Provisional Application mailed 10/24/00. A copy of the Notice is included with this response.

**A. Notice to File Missing Parts.**

Since the application was initially filed with a petition under 37 CFR 1.47(b), the application was signed on behalf of the person having a proprietary interest in the application, The Gates Corporation. The Notice states that the signature of "inventor" James E. Nelson is missing. Mr. Nelson, as an officer of The Gates Corporation, is properly the Applicant's representative and as such Mr. Nelson did sign on behalf of the Rule 47(b) applicant, so noted above his signature on page 3 of the Declaration and Power of Attorney.

SEP 19 2000

In support of this, attached is a copy of the Declaration and Power of Attorney filed July 14, 2000 containing the signature of Mr. Nelson on behalf of the Rule 47(b) Applicant. A copy of the return receipt postcard is also enclosed attesting to the inclusion of the Declaration and Power of Attorney in the application as filed.

B. Filing Receipt.

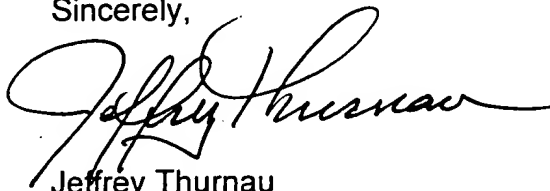
The Applicants list on the Filing Receipt is in error. Mr. Nelson is listed as an Applicant. This is incorrect. Paragraph 7 of the Petition dated July 13, 2000 filed with the application indicates that the Rule 47(b) Applicant is The Gates Corporation, as noted above. Please amend the Filing Receipt to properly reflect "The Gates Corporation" as an applicant for this file. A marked-up Filing Receipt is enclosed.

C. Surcharge.

Regarding the surcharge, Applicant believes the requirement in the Notice was met in the original filing and respectfully asserts that the \$130 surcharge is not due and as such is not included with this response. If the Office disagrees or otherwise elects to impose the surcharge, the Office is authorized to deduct the surcharge from Deposit Account 07-0475.

Please call the undersigned if this will assist resolving this matter.

Sincerely,



Jeffrey Thurnau  
Attorney for Applicant  
Reg. No. 42,183  
303 744-4743

Date: Nov. 2, 2000



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/616,746	07/14/2000	Sevastian Nick	O00-009A

Jeffrey Thurnau  
The Gates Corporation Mail Stop 31-4-1-A3  
900 S Broadway  
Denver, CO 80209

## FORMALITIES LETTER



\*OC00000005499886\*

Date Mailed: 10/24/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

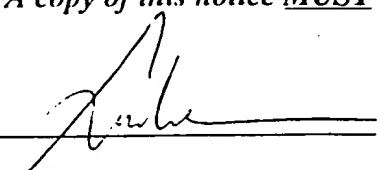
FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*James E. Nelson*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 30 2000

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/616,746	07/14/2000	2874	690	000-009A	2	8	3

Jeffrey Thurnau  
 The Gates Corporation Mail Stop 31-4-1-A3  
 900 S Broadway  
 Denver, CO 80209

## FILING RECEIPT



\*OC000000005499885\*

Date Mailed: 10/24/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Sevastian Nick, E. Windsor, CANADA;  
~~James E. Nelson~~, Denver, CO ;

**THE GATES CORPORATION**

Continuing Data as Claimed by Applicant

## Foreign Applications

If Required, Foreign Filing License Granted 09/05/2000

## Title

Lens

## Preliminary Class

385

Data entry by : LIEN, LUI

Team : OIPE

Date: 10/24/2000





I hereby certify that this correspondence is being sent by  
Fax transmission to Mr. John Gillon, Esq., Office of Petitions  
at 703-308-6916 on December 28, 2000.

For: The Gates Corporation

Signature Jimie L. Haller Date signed: December 28, 2000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Sevastian	)	Examiner:
	)	Group Art Unit:
Serial Number: 09/616,746	)	
Filed: July 14, 2000	)	<b>§1.48(a) Petition to</b>
	)	<b>Correct Inventorship</b>
Entitled: Lens	)	

By Fax 703-308-6916

John Gillon, Esq.  
Office of Petitions  
Box DAC  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

This Petition is filed in accordance with §1.48(a) and per our telephone conversation this morning.

The subject application was filed pursuant to §1.47(b). Included with the application was the Declaration and Power of Attorney signed by Mr. James Nelson, on behalf of and as General Counsel for The Gates Corporation. Mr. Nelson signed the Declaration on advice of the undersigned without deceptive intent in an effort to satisfy the requirements of §1.47(b), namely, to provide a person signing on behalf of the juridical entity having a proprietary interest in the invention, The Gates Corporation. The Gates Corporation holds equitable title to the invention as stated in the §1.47(b) Petition dated July 13, 2000 (not attached).

In accordance with our telephone conversation this morning, this Petition is filed to request deletion of Mr. Nelson, and his signature, from the Declaration and list of inventors for the subject application.

As required by §1.48(a)(1)-(2), also attached to this Petition are the following.

- 1) Declaration of Mr. Nelson stating he signed the Declaration without deceptive intent.
- 2) Declaration and Power of Attorney under §1.47(b) with Mr. Sevastian shown as inventor with Mr. Nelson deleted. The §1.47(b) Petition dated July 13, 2000 (not attached) represents that Mr. Sevastian earlier refused to execute the Declaration.

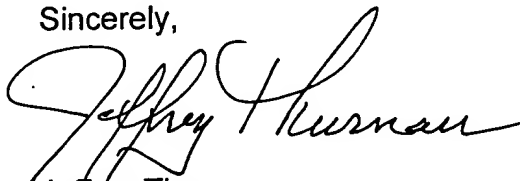
Therefore, it is respectfully requested that Mr. Nelson be removed from the application as an inventor, that the application be amended accordingly, that the attached Declaration be entered, and that a corrected Filing Receipt be issued reflecting this change.

#### Fees

The Office is authorized to deduct the fee for this Petition required by §1.48(a)(3), as set forth in §1.17(i), from Deposit Account 7-0475.

Thank you for your assistance in this matter. If this Petition not fully responsive to the instant circumstances, please call me at the number noted below.

Sincerely,



Jeffrey Thurnau

~~Attorney for Applicant~~

Reg. No. 42,183

303-744-4743

Date: Dec. 28, 2000



26683

PATENT TRADEMARK OFFICE



JJGJr.:03-01

Paper 5

JEFFREY THURNAU  
THE GATES CORPORATION  
MAIL STOP 31-4-1-A3  
900 S. BROADWAY  
DENVER, CO 80209

In re Application of  
Putter, et al.  
Application No. 09/616,746  
Filed: 14 July, 2000  
Attorney Docket No.: 000-009A

ON PETITION

This Decision follows the response to the Notice of Missing Parts, treated under 37 C.F.R. §1.47,<sup>1</sup> specifically §1.47(a), and supplemented on 28 December, 2000, with a petition to correct inventorship under 37 C.F.R. §1.48(a).<sup>2</sup>

The petitions are **GRANTED**.<sup>3</sup>

With regard to the petition under 37 C.F.R. §1.48(a), Petitioner has demonstrated that the erroneous inclusion of James Nelson (Mr. Nelson) occurred without deceptive intent, with a declaration as available from Mr. Nelson and petition from registered Counsel Jeffrey Thurnau (Mr. Thurnau, Reg. No. 42,183).

<sup>1</sup> The regulations at 37 C.F.R. §1.47 provide:

**§1.47 Filing when an inventor refuses to sign or cannot be reached.**

(a) If a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the application may be made by the other inventor on behalf of himself or herself and the nonsigning inventor. The oath or declaration in such an application must be accompanied by a petition including proof of the pertinent facts, the fee set forth in § 1.17(l) and the last known address of the nonsigning inventor. The Patent and Trademark Office shall, except in a continued prosecution application under § 1.53(d), forward notice of the filing of the application to the nonsigning inventor at said address and publish notice of the filing of the application in the Official Gazette. The nonsigning inventor may subsequently join in the application on filing an oath or declaration complying with § 1.63.

(b) Whenever all of the inventors refuse to execute an application for patent, or cannot be found or reached after diligent effort, a person to whom an inventor has assigned or agreed in writing to assign the invention or who otherwise shows sufficient proprietary interest in the matter justifying such action may make application for patent on behalf of and as agent for all the inventors. The oath or declaration in such an application must be accompanied by a petition including proof of the pertinent facts, a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damage, the fee set forth in § 1.17(l), and the last known address of all of the inventors. The Office shall, except in a continued prosecution application under § 1.53(d), forward notice of the filing of the application to all of the inventors at the addresses stated in the application and publish notice of the filing of the application in the Official Gazette. An inventor may subsequently join in the application on filing an oath or declaration complying with § 1.63.  
[47 Fed. Reg. 41275, Sept. 17, 1982, effective Oct. 1, 1982; 48 Fed. Reg. 2709, Jan. 20, 1983, effective Feb. 27, 1983; revised, 62 Fed. Reg. 53131, Oct. 10, 1997, effective Dec. 1, 1997]

<sup>2</sup> The regulations at 37 C.F.R. §1.48 provide in pertinent part:

**§1.48 Correction of inventorship in a patent application, other than a reissue application.**

(a) If the inventive entity is set forth in error in an executed §1.63 oath or declaration in an application, other than a reissue application, and such error arose without any deceptive intention on the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the application may be amended to name only the actual inventor or inventors. When the application is involved in an interference, the amendment must comply with the requirements of this section and must be accompanied by a motion under §1.634. Such amendment must be accompanied by:

- (1) A petition including a statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part;
- (2) An oath or declaration by the actual inventor or inventors as required by §1.63 or as permitted by §§1.42, 1.43 or 1.47;
- (3) The fee set forth in §1.17(l); and
- (4) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see §3.73(b)).

[62 Fed. Reg. 53185, Oct. 10, 1997]

<sup>3</sup> Consistent with Petitioner's authorization, the \$130.00 fee for the petition under 37 C.F.R. §1.47(a) and the \$130.00 surcharge for late filing of Missing Parts (oath/declaration) are charged to Deposit Account 12-2475. The \$130.00 fee for the petition under 37 C.F.R. §1.48(a) previously was charged.

With regard to the petition under 37 C.F.R. §1.47, Petitioner has shown that the non-signing inventor, Nick Sevastian (Mr. Sevastian) is unreachable at his last known address, or has refused or otherwise has failed to join in the filing of the above-identified application, and otherwise the above-identified application and papers have been reviewed and found in compliance with 37 C.F.R. §1.47(b).<sup>4</sup>

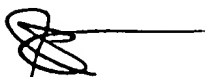
This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(b), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration.

Notice of the filing of this application will also be published in the Official Gazette.

In addition, this file is being forwarded to OIPE for the issuance of a corrected filing receipt deleting the name of James E. Nelson as co-inventor, consistent with this decision.

Telephone inquiries regarding this communication should be directed to the Petitions Attorney John J. Gillon, Jr., at (703)305-9199.



John J. Gillon, Jr.  
Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

---

<sup>4</sup> A grantable petition under 37 C.F.R. 1.47(b) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration; (2) an acceptable oath or declaration; (3) the petition fee; (4) a statement of the last known address of the non-signing inventor; (5) proof of proprietary interest; and (6) proof of irreparable damage.

AUG 1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/616,746	07/14/2000	2874	690	O00-009A	2	8	3

CONFIRMATION NO. 6837

## UPDATED FILING RECEIPT



\*OC000000006222833\*

Jeffrey Thurnau  
The Gates Corporation  
Mail Stop 31-4-1-A3  
900 S Broadway  
Denver, CO 80209

Date Mailed: 08/29/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Sevastian Nick, E. Windsor, CANADA;

## Domestic Priority data as claimed by applicant

## Foreign Applications

If Required, Foreign Filing License Granted 09/05/2000

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

## Title

Lens

## Preliminary Class

385

**Data entry by : DADE, JOAN**

**Team : 2800**

**Date:** 08/29/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231